

REMARKS

Applicant thanks the Examiner for the telephonic interview of March 11, 2004 in the above-referenced patent application. The following is responsive to the Examiner interview in view of the final Office Action of February 13, 2004.

Claims 1-18 are pending in the application where Claims 1 and 8 are the base claims. Claims 1-14 have been rejected under 35 U.S.C. § 103 as being unpatentable over Skinner et al. (U.S. Patent No. 6,185,514) in view of Tran (U.S. Patent No. 5,991,742) and further in view of Kuroiwa et al. (U.S. Patent No. 5,960,063) and further in view of Sprague et al. (U.S. Patent No. 5,247,575). Claims 15 and 17 have been rejected under 35 U.S.C. § 103 as being unpatentable over Skinner et al. in view of Tran and further in view of Kuroiwa et al., Sprague et al. '575 and Gomyo et al. (U.S. Patent No. 5,930,772). Claims 16 and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Skinner et al. in view of Tran and further in view of Kuroiwa et al., Sprague et al. '575 and Gaechter et al. (U.S. Patent No. 5,463,685).

Base Claims 1 and 8 are now amended to emphasize that a user speaks "into a phone instead of keyboarding and in a manner free of the user logging onto a global network" (i.e., the Internet) and "...free of intermediate transfer of data by the user..." Support for the foregoing amendments is found at least on Specification page 4, lines 22-26; page 5, lines 11-16; page 11, lines 8-11; page 11, line 20 through page 12, line 2 and Fig. 1 of the Specification as originally filed.

The foregoing claim amendments also clarify that the invention system initiates a first call to the user which is supported at least by Specification page 3, lines 5-8 as originally filed.

Lastly, the claim limitations of dependent Claims 16 and 18 have been inserted into respective base Claims 1 and 8, thus Claims 16 and 18 are now cancelled in favor of the respective base claims. Support for the claim feature of serving an individually targeted message to the user, formerly recited by Claims 16 and 18, is found at least on Specification page 3, lines 9-14 as originally filed. This messaging or advertising can be configured to the specific user based on his or her interests, demographics, location, language and other criteria. It can also be general advertising for groups or all users of the service. The advertising could occur at the beginning, during, or end of the phone call. Fees paid by the advertisers will either subsidize or pay entirely for end-user usage of the system. For example, an independent contractor working

in the computer services field, would call in his time and/or expenses and hear the advertising message when reporting his billing information. Alternatively, a company using the service (i.e., an enterprise-level usage) could substitute corporate messages and related news for advertising.

No new matter is introduced by the foregoing claim amendments. Acceptance is respectfully requested.

The Office Action at hand states that Applicant's arguments filed on December 22, 2003 are not persuasive, in part because the features of "advertising" and/or "prompting" are not recited in the claims. The foregoing claim amendments clarify these features in the base claims (Claims 1 and 8) of the present application. That is, base Claims 1 and 8 as now amended directly recite such features of

"...prompting includes at least one of (i) initiating a first call to the user,..."

and

"...(e) serving an individually targeted message to the user through the phone over the communication line."

As such, Applicant renews the arguments that these features as now claimed distinguish the present invention over the cited art which are lacking in these features. Specifically, none of the cited references, singularly or in any combination, imply or suggest such "prompting [which] includes at least one of (i) initiating a first call to the user,..." (emphasis added), and the "serving an individually targeted message to the user..." as recited in now amended base Claims 1 and 8. Thus no combination of the cited or prior art makes obvious the claimed invention of base Claims 1 and 8. Claims 2-7 and 15 depend from Claim 1. Claims 9-14 and 17 depend from Claim 8. Thus the foregoing arguments apply to the dependent claims. Claims 16 and 18 are now cancelled in favor of base Claims 1 and 8.

Accordingly, the § 103 rejections of Claims 1-18 are believed to be overcome. Acceptance of Claims 1-15 and 17 is respectfully requested.

As discussed in the telephone interview, the claimed invention distinguishes from Internet based accounting systems and accounting systems in which data is downloaded in intermediate steps. The distinguishing claim language reads "...in a manner free of the user logging on to a global network and free of intermediate transfer of data by the user" in addition to the above-argued claimed features. The Specification and drawings as originally filed (as mentioned

above) describe the present invention in such terms that provides the user interacting in a manner free of logging onto the Internet and free of intermediate transfer of data in contrast to the cited and prior art. Acceptance is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all now pending claims (Claims 1-15 and 17) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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